

Will the broadcast flag interfere with consumers ability to make copies of DTV content for their personal use, either on personal video recorders or removable media?

For those of us consumers who've not yet made any sort of habit copying/recording broadcast television programs--digital or otherwise--this proposal seems to aim to keep us from ever starting. I've been a digital cable or satellite subscriber for years, and though I don't currently dupe shows, I'd not like my ability to do so revoked. The issue at heart here is not whether this proposed step will stop DTV "piracy," but rather is about opening the door for more-constrictive/restrictive future adaptations.

Would the digital flag interfere with consumers ability to send DTV content across networks, such as home digital networks connecting digital set top boxes, digital recorders, digital servers and digital display devices? With the growing convergence of consumer digital devices, it seems entirely feasible that in the not-too-distant future, the entirety of the home entertainment experience will consist of highly interoperable, integrated devices--some television manufacturers are equipping new sets with "FireWire" ports for easy connection to PCs (as well as other digital entertainment devices, like DVD players/recorders)--and any such changes to the encryption/encoding of digital content may replace the consumer from control over said devices.

Would the broadcast flag requirement limit consumers ability to use their existing electronic equipment (equipment not built to look for the flag) or make it difficult to use older components with new equipment that is compliant with the broadcast flag standard?

Yes. Unquestionably. New requirements in broadcast standards may require providers to issue new DTV equipment--digital cable boxes, satellite receivers, etc--which manufacturers could then build without various features that enable older devices to work--no RCA or digital/optical outputs, for example. Undoubtedly these people with older equipment that is "ignorant" of new copy-protection measures are a problem for copy-right enforcers, and as a result this type of solution may spur such enforcers to invent ways of preventing existing equipment from functioning properly. [one possible way this could be accomplished is through the development of a new, proprietary digital connection standard which is physically incompatible with old standards, such as a "D-RCA" connector that uses odd-shaped cables. In attempts to limit such people from purchasing "adapters," these companies could simply patent the adapter idea and not manufacture it. Sure, people could still use normal coax, which can be adapted, but the quality advantages of having digital television are then compromised, as the signal would remain in the analog format.

Would a broadcast flag requirement limit the development of future equipment providing consumers with new options?

I think I may have also answered this in the previous question, but to reiterate:

Development of new, proprietary standards will not be infringed. However, since most breakthrough developments revolve around improving existing technologies or interfacing them with newer devices that offer extended options, it is probable that changing the current system [which is based on open standards] will inhibit further growth of the medium.

What will be the cost impact, if any, that a broadcast flag requirement would have on consumer electronics equipment?

Manufacturers may need to produce new "box" equipment for the consumer home, depending on whether current devices are software flashable/upgradable or not. They may also need to provide upgrades for switching/routing equipment and add-ons for the cable providers' systems. The costs will of course be passed on to end-users, with inflated cable tv rates and the cost of upgrades for new hardware--especially if a proprietary connection for digital output is implemented.

Other Comments:

What's next? Cars that pull speed limits from gps-enabled systems and automatically limit a driver's speed? Why should the majority of the populace have their rights and autonomy continually stripped away to protect the monetary interests of large, unfeeling corporations seeking a very small group of lawbreakers. These types of DRM technologies are the first proposed items to pre-empt lawbreaking. And if that's ALL they prevent--which yet remains to be seen, as far as FAIR USE is concerned--they still take away an individual's right to choose. With the DMCA in effect, circumventing this "broadband flag" to extract one's fair use of digital tv content IS breaking the law. I strongly urge you not to open the door to further abuse and revocation of individual liberties because the wider that door opens, the sooner tyranny can creep in uninvited.